

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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tem in Maine, the State Police shall enforce this subsection.

Effective September 29, 1987.

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## CHAPTER 299

S.P. 567 — L.D. 1699

### AN ACT to Clarify the Right to Prevent the Attendance of or to Remove a Committed Offender from a Disciplinary Hearing.

Be it enacted by the People of the State of Maine as follows:

34-A MRSA §3032, sub-§6, ¶B, as enacted by PL 1983, c. 459, §6, is amended to read:

B. He is entitled to the right to be present at the hearing, except that he may be prevented from attending or be removed if his behavior indicates that he is a danger to himself, other persons or property.

Effective September 29, 1987.

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## CHAPTER 300

S.P. 568 — L.D. 1700

### AN ACT to Grant Jurisdiction to Bail Commissioners to Ensure the Integrity of the Judicial Process.

Be it enacted by the People of the State of Maine as follows:

14 MRSA §5547 is enacted to read:

§5547. Orders to ensure the integrity of the judicial process

1. Authority of bail commissioners. A bail commissioner may impose orders regulating the conduct of any person for whom he sets bail under sections 5542 and 5544. These orders must be reasonably effected to ensure the integrity of the judicial process and the proper administration of justice during the pending proceedings related to the offense for which the person was arrested. The order shall be in writing and a copy shall be given to the alleged offender when the order is issued. The commissioner may provide a copy of the order to the law enforcement agencies most likely to enforce it. The order may require the alleged offender:

A. To stay away from the home, school, business or place of employment of:

- (1) The victim of the offense;

(2) Other family or household members of the victim or alleged offender; or

(3) Any potential witness regarding the offense;

B. Not to visit, or to visit only at certain times or under certain conditions, a child residing with the victim or any potential witness regarding the offense;

C. Not to do specific acts which the commissioner finds may harass, torment or threaten:

(1) The victim of the offense;

(2) Other family or household members of the victim or alleged offender; or

(3) Any potential witness regarding the offense;

D. To refrain from contacting, threatening, assaulting, molesting, harassing or otherwise disturbing the peace of:

(1) The victim of the offense;

(2) Other family or household members of the victim or alleged offender; or

(3) Any potential witness regarding the offense;

E. To refrain from taking, converting or damaging property in which the victim or other family or household members of the victim or alleged offender or any potential witness regarding the offense may have a legal interest; and

F. To take any action or to avoid taking any action as necessary to protect the integrity of the judicial process or the ability of the court to proceed with the case fairly, expeditiously and justly.

2. Modification or dissolution of orders. Any person against whom an order is issued by a bail commissioner under subsection 1 may file a motion in the court having jurisdiction over the offense for which he was arrested to modify or dissolve the bail commissioner's order. The court shall hear the motion as soon as possible and may modify or dissolve the order as justice requires. The court, at any time, on its own motion may modify or dissolve the order as justice requires. In any event, any order issued by a bail commissioner under subsection 1 is void when the alleged offender is convicted and sentenced, acquitted or the charges against him are dismissed.

3. Enforcement of orders. Any violation of an order issued by a bail commissioner under subsection 1, when the alleged offender has prior actual notice of the order, is a Class E crime. Notwithstanding any other law, an arrest for such a violation may be without warrant upon probable cause whether or not the violation is com-